

**RESOLUTION NO. 74816**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ APPROVING A CHANGE IN THE UNIT AFFORDABILITY MIX FOR THE 90 ARCHER STREET APARTMENTS**

**WHEREAS**, on December 9, 2008, the Council of the City of San José (“City Council”) approved a funding commitment of up to \$4,580,000 to Charities Housing Development Corporation (“Charities”) for the land acquisition/predevelopment/construction/ permanent loan for the development of the 42-unit 90 Archer Street Apartment project located at 90 Archer Street (“Project”); and

**WHEREAS**, at the time of City Council approval, the Project was proposed to contain 11 units affordable to extremely low income households at or below 30% Area Median Income (“AMI”), 15 units for households at or below 35% AMI, and 15 units for households at or below 40% AMI, with five of the 30% units set aside for homeless, severely mentally ill clients of the County of Santa Clara’s Mental Health Department (“MHSA”); and

**WHEREAS**, the City of San José desires to approve a change in the unit affordability levels to 16 units for extremely low income households at or below 30% AMI and 25 units for very low income households at or below 45% AMI, with six of the 30% units set aside for MHSA clients;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSÉ THAT:

A change in the affordability mix of the 90 Archer Street Apartments, a 42-unit rental housing development to be constructed at 90 Archer Street, to be made available to extremely low income and very low income households, with 41 units affordable to households with incomes at or below 45% Area Median Income and one unrestricted

manager's unit, as more specifically set forth in the Director of Housing report dated February 17, 2009, is hereby approved.

ADOPTED this 10th day of March, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,  
LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CHIRCO.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk